

**Public Business Meeting
Minutes**

Thursday, March 26, 2026 - 5:00 PM

*Allegany County Office Building, 701 Kelly Road, Allegany Room 100
Cumberland, Maryland 21502*

WE ASK THOSE CITIZENS WISHING TO ADDRESS THE BOARD TO REGISTER ON THE SIGN-UP SHEET AND CONDENSE THEIR COMMENTS TO FIVE MINUTES OR LESS. THIS WILL ALLOW AN OPPORTUNITY FOR EVERYONE WISHING TO COME FORWARD TO HAVE A CHANCE TO SPEAK. WE WILL CONDUCT OUR MEETING IN AN ORDERLY FASHION AND ASK THAT EVERYONE WISHING TO SPEAK FIRST BE RECOGNIZED BY THE PRESIDENT, COME TO THE MICROPHONE, AND GIVE HIS OR HER NAME AND ADDRESS PRIOR TO THEIR COMMENTS.

1. Pledge of Allegiance

The Pledge of Allegiance was recited by those in attendance.

2. Call to Order & Roll Call

The regular meeting of the County Commissioners of Allegany County was held in the Commissioners' Meeting Room, Allegany Room 100, 701 Kelly Road, Cumberland, at 05:00 PM on 3/26/2026. Present: County Commissioner Creade V. Brodie, Jr., County Commissioner William R. Atkinson, County Commission President David J. Caporale, County Administrator Jason Bennett, County Attorney Lee Beeman.

3. Approval of Agenda

There were no additions or deletions to the agenda. Upon Motion made by County Commissioner William R. Atkinson, seconded by County Commissioner Creade V. Brodie, Jr., and duly carried, the Agenda for this public business meeting was approved by the Board of County Commissioners.

4. Statement of Closed Meeting

A. Statement Regarding the Closed Session Held on Thursday, March 12, 2026 at 4:00PM - T. Lee Beeman, Jr., County Attorney

Attorney Beeman read a statement regarding the closed session. A copy of this statement is attached to these minutes.

5. Approval of Previous Meetings Minutes

A. Approve the Public Business Meeting Minutes from March 12, 2026

Upon Motion made by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and duly carried, the Minutes from the previous public business meeting were approved by the Board of County Commissioners.

6. Presentations

A. Proclamation for American Red Cross Month - Jason Keeling, Executive Director from the Allegheny Highlands Chapter of the American Red Cross

We celebrate American Red Cross Month by honoring our neighbors who make its humanitarian mission possible in Allegany County. Mr. Keeling talked about the efforts his organization is putting forth here in Allegany County, and gave a schedule of upcoming blood drives. He also introduced Ms. Lynn Altizer who coordinates the blood drives in the County.

During 2025 in Allegany County, the American Red Cross assisted 40 households (85 clients) impacted by disaster, which includes people affected by home fires and flooding. Separately, the Red Cross collected 2,536 units of blood at 95 blood drives, provided lifesaving training to 634 people and supported military members, veterans and their families with 26 case services.

7. Public Hearing

8. Action Agenda & Public Comment

A. Approve the Board Of Education FY26 Budget Amendment Request - Dr. Michael Martirano, Superintendent of Schools for ACPS and Larry McKenzie, CPA, Chief Finance Officer for ACPS

The first part of the request relates to the Board of Education's 2026 Approved Budget. Within this budget, the Board of Education showed a revenue inflow from the County of \$754,195 for the teacher pension pass back and a corresponding fixed charge. These revenues and expenses are flowing directly through the County's books versus as a pass through to the Board of Education, and therefore, this budget amendment would serve to reduce the Board of Education's budgeted local revenues and expenses by \$754,195.

The other part of the request is a budgetary increase in the amount of \$1,000,000 within the capital outlay for various projects under consideration this fiscal year as well as a corresponding increase in the district's revenues from fund balance of \$1,000,000.

The Board of Education has already approved this amendment, but Board of County Commissioner approval is required by state law. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

B. Approve the Update to the Interest Rate for the Right of Redemption for Owner-Occupied Properties - Jason Bennett, CPA, County Administrator

The State of Maryland made a change to one of the rules of the tax sale process. The update is to protect owner-occupied properties that are part of the tax sale by capping the interest rate that the County applies to the right of redemption. If the County sells a property at the tax sale, there is a period of time given to the owner in order to redeem that property. Prior to this year, the owner paid an 18% annual interest rate. Starting this year, the State's rule for only owner-occupied properties is now 10% annual interest rate. Action by the County Commissioners needs to be taken in order to reflect this change. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: None. No: None. Abstain: None.

- C. Award Evitts Creek Bridge Rehabs (SHA Contract No. AL491ZM2 | FAP No. AC-STBG-000B(772)E) to ALL Concrete, Inc., Petersburg, WV - Adam Patterson, P.E., Director of Public Works

After many years of being under design and engineering, there are two bridges that are going to go under construction and be repaired beginning this summer. Bids were opened on Thursday, March 19th and there were four bids in total. The lowest bid was from All Concrete out of Petersburg, WV in the amount of \$1,881,540.78. This project will be covered 100% by the County's federal and state bridge monies. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: Creade V. Brodie, Jr.. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

- D. Rural Legacy Program Agreement of Sale and Deed of Easement pertaining to 239.01 acres of property situated on Marshall Porter Road and belonging to David M. Porter and Daniel J. Porter - Roy Cool, Planner, Department of Planning & Zoning

Rural Legacy land preservation easements are voluntary arrangements through which the Maryland Department of Natural Resources (DNR) acquires the development rights of property located within the designated Mountain Ridge Rural Legacy Area. The owner of 239.01 acres of land situated on Marshall Porter Rd has applied to sell the development rights to DNR. This sale needs to have the approval of the Board of County Commissioners. No one signed up to speak on this agenda item.

Motion: Approve, By: Creade V. Brodie, Jr., Seconded: William R. Atkinson. Yes: Creade V. Brodie, Jr., William R. Atkinson, David J. Caporale. No: None. Abstain: None.

9. Consent Agenda & Public Comment

Commissioner Brodie asked if Consent Agenda Item C could be pulled out and voted on separately.

Upon Motion by County Commissioner Creade V. Brodie, Jr., seconded by County Commissioner William R. Atkinson, and Motion carried, the Board of County Commissioners approved and adopted the Consent Agenda Items A-B and D-G as recommended by the County Administrator.

- A. Adopt Resolution 26-03 for Rules & Regulations Governing Employees of Allegany County

This would be for an updated job description of Chief Accountant, and also re-implement the position of the Assistant Director of Finance for the Finance Department. One of these positions will replace the lost Grants Writer position that is vacant and the other is to prepare for a future retirement in the Finance office. No one signed up to speak on this agenda item.

- B. Execute a Fairgrounds Use Agreement with Rock the Mountains

This is for a music and camping event to be held August 21st through 23rd. Rent will be set at \$3,500 with additional rent based on the number of campers there. No one signed up to speak on this agenda item.

- C. Approve the Appointment of Kelli Allaway to the Tri County Council

Staff conducted interviews for this position that would fill the vacant seat that is appointed by the Allegany County Commissioners. Commissioner Brodie asked for this item to be voted on separate from the rest of the Consent Agenda items. No one signed up to speak on this agenda item.

Motion: Approve, By: William R. Atkinson, Seconded: David J. Caporale. Yes: William R. Atkinson, David J. Caporale. No: None. Abstain: Creade V. Brodie, Jr..

- D. Approve First Amendment to the Comcast Broadband Expansion Agreement for a State Office of Broadband Grant-Funded Project

The amendment includes an exhibit reference update, a change in the Comcast point of contact, and the the addition of the final invoice deadline. No one signed up to speak on this agenda item.

- E. Approve the Sponsorship Request from Frostburg Elks Derby Day in the amount of \$1,500
This is for the 49th Derby Day, which will be held on Saturday, July 4th. No one signed up to speak on this agenda item.
- F. Approve the Purchase of a Pump for Wrights Crossing Sewage Pumping Station from Sherwood Logan for \$125,405.00
This is for a new pump that had to be in the exact specs that we currently have so the County was able to sole source this purchase. No one signed up to speak on this agenda item.
- G. Approve and Authorize the Court Administrator to Sign for the Installation of an Emergency Intercom System for the Courthouse from Securitas
This is a fully grant funded project in the amount of \$55,997.54, and is also a sole source purchase. No one signed up to speak on this agenda item.

10. General Public Comment

Constituents – In order of sign-up sheet:

- Kit Pepper LeScallete of 211 James Ct in Frostburg - Talked about the County's rights when it comes to solar farms and recommended looking at the Code in place now and maybe making changes. Also, asked if the County could look into other means to slow people down on Route 51, as the process for speed cameras takes at least 18 months. She then talked about the transparency issues that are still going on.
- Alan Whitworth of 10710 Kreigbaum Rd in Corriganville - Applied for a position on a County board, and has issue with not receiving any confirmation of receipt, and would like to be considered for this board.
- Dr. Larry Smith of 15201 Brandywine Dr in Bel Air - Talked about the high water bill issues his community, and others, are having. Discussed the Federal delegation and asked the Commissioners to reach out to them. Mr. Bennett updated Dr. Smith saying that he has been in conversation with Congresswoman Delaney and they are ready to help when the time comes.
- Grant van Wyngarden of 14712 Barton Blvd in Bel Air - Shared a summary of results of an evaluation analysis of the water and sewer systems of the Pinto and Highland Estates service areas.

11. Reports

- A. County Administrator
Had no further comments to add at this evening's meeting.
- B. County Attorney
Had no further comments to add at this evening's meeting.

12. Commissioner Comments

- Commissioner Atkinson - National Geographic did a feature article on the "Top Scenic Bike Trails in the Country" and the Great Allegheny Passage and the C&O Canal in Cumberland are mentioned as number one. Commissioner Atkinson thanked the County's Tourism Department for all they do.
- Commissioner Brodie - Had no further comments to add at this evening's meeting.
- Commissioner Caporale - Wished everyone a Happy Easter.

13. Reminders/Upcoming Meetings

A. NEXT MEETING - Thursday, April 9, 2026, 5:00pm

14. Adjournment

There being no further business to come to the attention of the Board, the meeting was adjourned at 05:53 PM.

**STATEMENT REGARDING THE CLOSED SESSION HELD ON
THURSDAY, MARCH 12, 2026, AT 4:00 O'CLOCK P.M., ROOM 424**

The Board of County Commissioners, at a meeting convened on Thursday, March 12, 2026, upon a motion by Commissioner Caporale, and duly seconded by Commissioner Atkinson, voted unanimously to go into a closed session. Commissioner Brodie was not present for the vote to move into closed session nor the session itself. The meeting time and place and the purpose of the meeting were provided in a public notice distributed on March 12, 2026. The notice was provided in the same manner, and also to the same entities, that receive the Commissioners' regular business meeting notices.

The meeting was closed in accordance with the General Provisions Article of the Annotated Code of Maryland Section 3-305, and the purposes for which the meeting was closed were as follows:

1. To consult with staff, consultants, or other individuals about pending or potential litigation regarding Open Meetings Act complaints filed against the Board of County Commissioners (General Provisions Article Section 3-305(b)(8); and
2. Consultation with counsel to obtain legal advice concerning the matters referenced above and other matters (General Provisions Article Section 3-305 (b)(7)).

Those persons present during all or part of the closed session are County Commissioners David J. Caporale, and William R. Atkinson; Jason M. Bennett, County Administrator; T. Lee Beeman, Jr., County Attorney; as well as Recording Secretary, Madison Taylor.

Item 1. Open Meetings Complaints – Staff presented Commissioners with an Open Meetings Compliance Board Complaint. Staff presented the Complaint, explained the alleged violations to the Commissioners, and provided legal advice regarding potential responses to the Complaints. County Attorney, T. Lee Beeman, Jr., will respond to the Open Meetings Compliance Board.

There was no further business. The meeting was adjourned at 4:40 p.m.